

Protecting The Buchanan Papers

Homer T. Rosenberger

James Buchanan had extensive correspondence with men of note in the United States and in Europe. He was a methodical person and saved the letters he received. Unlike many public figures in America, Buchanan was in the habit of putting his thoughts, speeches, and decisions on paper. He preserved a great quantity of his unpublished writings and numerous letters that were written to him. At the end of his life many boxes of his papers were stored at Wheatland. This vast treasury of original material concerning the political history of the United States and the Buchanan family, over a period of fifty years, was priceless at time of his death and would become increasingly useful as source material for historians. Mainly through the efforts of his niece, Harriet Lane Johnston, a large portion of these papers have been preserved in both original and published form.

Confusion and Dissension

When Buchanan was being criticized severely during the early days of his retirement at Wheatland he decided to defend the policies he had formulated and followed during his four years in the Presidency. Jeremiah S. Black suggested that Buchanan give a "full and clear vindication." Soon thereafter Black and Buchanan agreed that Black should write a biography of the ex-President for \$7,000. Black began the task but there was disagreement between them on the explanation of Buchanan's policies at time of secession. Black gave up the biography but later gave support to the idea that there should be a book about the Fifteenth President. Buchanan now de-

cided to write his own book, a documented account of his actions as President, the account to be based on official papers, and correspondence of those who worked with him. Late in 1862 Buchanan finished a draft of his book. It was published several years later, in 1866.

Buchanan wanted a biography of himself in addition to his 1866 book. James F. Shunk started the task but never finished it. Then Buchanan engaged William B. Reed, a Philadelphian, to write the biography. Reed, a lawyer, historian, journalist, and prolific writer, had been Buchanan's minister to China and had negotiated the important treaty of June 1858. Philip S. Klein tells us that Reed asked Mr. Shunk for the notes Shunk had gathered on Buchanan but did not receive them. (Page 419, *President James Buchanan, A Biography*). On August 29, 1867, less than a year before his death, Buchanan added a codicil to his will, instructing his executors to make his papers available to Mr. Reed, pay him a maximum of \$1,000 to "secure the proper publication" of the biography, and \$5,000 to his wife upon completion of the biography. The words of the codicil are as follows:

I hereby direct my Executors named in my last Will and Testament [Hiram B. Swarr and Edward Y. Buchanan], to place all the papers, correspondence and private and public documents connected with my public life, in the hands of my friend, William B. Reed, who having shown to me in my retirement great kindness, and in whom I have entire confidence, to enable him to prepare such a biographical work as I desire. With this view I direct my Executors to pay to the order of William B. Reed such sums in the aggregate not exceeding one thousand dollars, as may be necessary in his opinion to secure the proper publication of such biographical work, and in case it or any part of it is not used, it shall go into the remainder of my estate.

As some compensation for the work which Mr. Reed has undertaken to perform, I give and bequeath to his wife, Mrs. Mary L. Reed, the sum of five thousand dollars, which I direct to be a legacy for her separate use and benefit, and in case of her death, for her children, said amount to be paid to her on the completion of the work, or in the event of her death before that, to her children.

Philip Klein points out that Buchanan was smart enough to realize the value of a conditional grant to Mrs. Reed. It would serve as an incentive for her to keep her procrastinating husband on the job. (Page 419, *President James Buchanan, A Biography*).

William B. Reed was a rather distinguished writer, although a controversial figure. He was an intimate political friend of Buchanan and visited at Wheatland. Reed was familiar with Buchanan's desires as to the way in which various matters might be treated in the biography of the Fifteenth President. Reed was of excellent age to undertake the task, becoming sixty-two within a few weeks after Buchanan's death. He had a career in the law, politics, and the teaching of history, as well as a great deal of experience as a writer. However, at least partly because of his own financial difficulty Reed never completed the biography, even though living until February 18, 1876. An even greater travesty occurred. The papers



JAMES BUCHANAN

themselves were in serious danger. Buchanan's executors insisted upon gaining control of them and yet did not seem to guard them adequately. The executors brought a bill of complaint in the Court of Common Pleas (sitting in equity) of Lancaster County, Pennsylvania, against Mr. and Mrs. Henry Elliott Johnston in October 1870. In a four-page printed document the executors asked the court for a decree requiring the Johnstons to deliver to the executors the Buchanan papers that were still in the possession of the Johnstons. The Johnstons answered the executor's bill of complaint. The answer was in the form of a twelve-page printed document of December 29, 1870, entitled *Common Pleas of Lancaster County, Buchanan's Ex'rs vs. Johnston Et Ux., In Equity*. The document is "The joint and several answer of the defendants." It is the statement of Henry Elliott and Harriet Lane Johnston and is their answer to the bill of complaint.

A year and a half later, under date of July 9, 1872, the executors published a third document, thirty pages in length, entitled *Proceedings in suit of the Executors of James Buchanan, vs. Henry E. Johnston and Harriet L. Johnston, his Wife. H. M. North and George W. Biddle, Being Attorneys for the Plaintiffs, and Jeremiah S. Black, Attorney for the Defendants*. The document consisted of a reprinting of the first two documents and a lengthy refutation of the second document (the reply by the Johnstons). The refutation seems weak and causes one to suspect that the executors, at best, had used poor judgment in the management of the Buchanan papers.

What appears to be the most accurate account of a distressing situation is given under an oath of December 29, 1870, and is found in the second document in the suit by the Buchanan executors. From this equity document we learn of some of the distressing and ignoble actions of Harriet's Uncle Edward, the Reverend Edward Y. Buchanan. Upon the death of James Buchanan Wheatland belonged to Harriet. She and her husband left for Baltimore on June 6, 1868, almost immediately after Buchanan's funeral. Neither returned to Wheatland for more than a month, not until July 10. They did not have any agent or attorney at Wheatland to safeguard Harriet's interest. During that month and four days Harriet and Henry permitted Uncle Edward to remain in the house. During that period of time Uncle Edward and part of his family lived in the house and had access to the papers and everything else in the house. The equity document of December 29, 1870, states "the defendants aver that the said E. Y. Buchanan, by himself, or by his family acting under his direction, did examine and search through all the papers and documents then at the house, carrying away some of them, destroying some, and leaving the rest in a state of utter confusion." (Page 3).

This destructive action on the part of Edward Y. Buchanan was not inconsistent with the type of person he seemed to be. The careful scholar, Philip S. Klein, includes five references in his book *President James Buchanan, A Biography* which gives some idea of Edward's stature—pages 124, 125, 126, 206, and 210.

At about the time the destructive action was taking place at Wheatland Mrs. Johnston wrote from her Baltimore home, 120 Park Street, under date of June 30, 1868, to "Dear Mr. Ward," no doubt Christopher Longstreet Ward of Towanda, Pennsylvania. She said:

I have been so prostrated by the events of the last two months, as to be totally unfit for letter writing which must account for my not having before acknowledged yours, & Mrs Ward's kind sympathy, & cordial invitation to pay you a visit.

This would give me great gratification—as I remember with pleasure my former visit to your sweet home—but I fear that this summer, most of my time will be occupied with sad & necessary duties at Wheatland . . .

I expect to go to Wheatland next week, & will not of course bring little Buch back to town until the cool weather.

. . .

Yours very sincerely
Harriet Lane Johnston.

Mr. Johnston unites with me in regards, & best thanks for your kind invitation to us.

The letter is preserved by the Historical Society of Pennsylvania.

At Wheatland in August Mrs. Johnston seems to have been busy organizing the scattered mess, and adding to the Buchanan papers that were still there any items relating to her uncle James. Two of her letters of this period, written from Wheatland to Hiram B. Swarr, are preserved by the Lancaster County Historical Society. Mr. Swarr, a lawyer, resided in Lancaster and had been a personal friend of Buchanan. In the first of the two letters, dated August 21, 1868, she wrote "Will you kindly lend me your copy of the Age of Aug 19th, & 20th? I will return them safely to you." In a second letter, four days later, she asked Mr. Swarr for all the papers collected by "Mr Smith." She wrote "I desire to see them all—& will commence my book at once." She continued "If you have any articles from the Age that would interest me, I would thank you very much for them."

"The Age" was probably a Philadelphia newspaper, published weekly in 1836, and in 1868 daily as *The Age*, a Democrat newspaper, after having had several changes of name in thirty-two years. This writer has not found any issue of *The Age* for August 1868, although a few issues for January, February, May, June, September, November, and December of that year are itemized in *A Checklist of Pennsylvania Newspapers*, Volume 1, *Philadelphia County*, pages 100-101. (Published by Pennsylvania Historical Commission, 1942.)

This writer has not been able to identify the "Mr Smith" in Mrs. Johnston's letter of August 25, 1868, to Mr. Swarr. He may have been a dealer or a friend of Buchanan who had gathered a number of letters written by the Fifteenth President. In speaking of starting her "book" immediately, Mrs. Johnston may have had in mind a system for arranging the Buchanan papers still at Wheatland.



HARRIET LANE JOHNSTON

Several weeks after the damage that had been done to the Buchanan papers immediately following Buchanan's funeral, Mrs. Johnston wrote to William B. Reed.

Wheatland
Sept. 10. 1868

My dear Mr Reed,

I have been so much occupied lately, that I have not been able to reply to your letters as promptly as I should desire. I have not been unmindful of your requests however. The diplomatic correspondence I have sent you by Uncle Edward [Rev. Edward Y. Buchanan], & the two volumes on the Central American, & Enlistment [?] questions, I have ready for you.

I enclose the Shunk letters & three addressed to Dr. Blake. Mrs. Shunk left yesterday. I know nothing of Judge Black—except that he is ready, whenever you will receive it.

After my return home, when all things are settled here, I will have the royal correspondence with my dear Uncle copied for you [correspondence between Queen Victoria and James Buchanan?].

The books I will send by the earliest opportunity. I wish you would kindly give me your address in town—as I have mislaid it.

With kind regards to your daughter, believe me, dear Mr Reed,

Yours very sincerely
Harriet Lane Johnston.

The letter is preserved by the Historical Society of Pennsylvania.

Apparently in the next few months Uncle Edward wanted to carry away additional Buchanan papers, but no longer had the opportunity to enter Wheatland and escape with whatever he chose.

Urgency of Recouping the Buchanan Papers

Late in the next year the dilatory Mr. Reed had already given up all thought of writing the biography of Buchanan. The safety of her uncle's papers was now of great concern to Mrs. Johnston. The thought "Retrieve those papers!" burned in her mind. She wrote to Mr. Swarr on the last day of the year.

120 Park st [Baltimore]
Dec 31. 1869.

Dear Mr Swarr,

Mr Johnston, as requested by you, has informed me of the offer of Mr Wm B Reed to return to your custody as Executor the various documents in his hands belonging to my Uncle's estate.

In my opinion, it is of the utmost importance that you promptly accept this offer—indeed I consider it essential for you to do so, in order to carry out my dear Uncle's cherished wish to place before the public a truthful statement of the events connected with his administration of the government. It is the most sacred obligation upon me, as having been so near & dear to him—as he was to me—& his fame is now a most cherished object of my life—but this obligation is upon all his relatives, & upon every friend & well wisher of the Democratic party—& to accomplish this result the custody of these papers is essential. Suppose they were to fall, by legal proceedings against



REV. EDWARD YOUNG BUCHANAN

Mr Reed, or otherwise, into the hands of the Republicans—who would pervert truth to falsehood, & try to condemn the pure & upright statesman by the perversion of the very evidence that shows his pure & lofty patriotism. The pecuniary value of these papers is inestimable. I am sure the Republican party would purchase them at any price. I shall feel the greatest uneasiness until I know them to be safe in your hands, when arrangements can be made by which my dear Uncle [’s] wishes can be executed with or without Mr Reed’s assistance as may be deemed expedient.
Believe me,

Yours very respectfully
Harriet Lane Johnston

The letter is preserved by the Lancaster County Historical Society.

Under date of January 6, 1870, Mrs. Johnston wrote from her home at 120 Park Street, Baltimore, to Hiram B. Swarr in Lancaster:

I am relieved to hear that Mr Reed has behaved so well about my dear Uncle’s papers—& wish you to let me know *exactly where & in*

whose hands these papers now are. (From the original in the Lancaster County Historical Society.)

Management of the Buchanan Papers by the Executors

Management of the Buchanan papers by Buchanan's two executors must have grown increasingly worse. On March 24, 1870, Hiram B. Swarr wrote from Lancaster to Henry E. Johnston, vaguely, as follows: "Respecting the papers, correspondence, and public documents of the late Ex-Pres't Buchanan, they were placed agreeably to the directions of his will, in the hands of his friend Hon'l Wm. B. Reed, excepting those which he did not require in the prosecution of the work." This sentence by Swarr is reproduced on page 12 of "Answer of Defendants," the twelve-page printed document, Court of Common Pleas of Lancaster County, Pennsylvania, in the case of Buchanan's Executors *vs.* Mr. and Mrs. Johnston, in equity.

In Mr. Swarr's testimony in the case a barb, no doubt unnecessary, is added to the sentence, indicating that other papers which Mr. Reed did not need were left at Wheatland "in the legal custody of the executors, who, in the language of Judge Black, 'have a strict right thereto.'" (Page 24 of the third document in the case). This writer has not found any evidence that Mr. Swarr gave Mrs. Johnston at that time the information she requested, the location of the papers which had been in William B. Reed's hands.

Meanwhile, Judge Jeremiah Sullivan Black wrote a long letter to Swarr, under date of April 9, 1870. Black lamented the slowness in the production of the biography of Buchanan and said he feared it was now too late for a life of the Fifteenth President to do any good. Black asserted that interest in the biography had languished, that many of Buchanan's associates were already dead, and that it was becoming increasingly difficult to find a competent biographer. The letter is preserved by the Lancaster County Historical Society.

If Mrs. Johnston shared Judge Black's pessimism she did not let it become apparent. She continued to work diligently for the preservation of the Buchanan papers and the preparation and publication of the biography.

A few months later Mr. Swarr wrote to Harriet's husband concerning the selection of a successor to Mr. Reed, and about a "paper". The letter, preserved by the Lancaster County Historical Society, is as follows.

Lancaster Pa. June 10th 1870

Mr H. E. Johnston,

Dear Sir,

Your favor post marked 8th inst duly received. Ever since it became evident, that it would not be proper to have Mr Reed complete

the Biographical Work committed to his charge by the late Ex President Buchanan, we have made the most industrious efforts to learn of a suitable successor. We have had numerous interviews with friends of the deceased, and corresponded with others. names of persons were suggested, but they seemed to fall short in some particular or other of the required standard. We had hoped that Mr. Gillette who was strongly endorsed by Mr Capen & favorably regarded by Mr Schell would answer, but on careful inquiry we fear he lacks the necessary literary qualifications, and is to [too] advanced in years for the task.

We quite as earnestly as any other friends of Mr Buchanan desire [prompt? Word difficult to decipher.] and united action in the matter of having this important work completed. And I know that the Rev Mr Buchanan, always was and is now willing to receive any suggestions from Mrs. Johnston, ad other heirs relative to the selection of a Successor to Mr. Reed.

Respecting the paper forwarded by Mr E. Y. Buchanan, though to Mrs Johnston, and which was returned in an amended form without her signature, I can hardly trust myself to answer, in view of the fact that Mr Buchanan never claimed the right to decide upon the selection of Mr Reeds successor by virtue of his executorship, nor did I claim any such right or authority in any capacity, but I feel that I would be wanting in integrity and duty, if I did not claim in connection with my Co-Executor, the right to retain even without the expressed authority of the heirs, the moneys appropriated by Mr. Buchanan in his last will and testament, to have written and published a proper Biographical Work, such as he desired, at least until such time as would be admitted by all interested that such Work could not be obtained. This is all I have to say to the suggestions contained in the amendments, my colleague can if he wishes speak for himself.

Yours Truly,
H. B. Swarr.

The "paper" referred to in the last paragraph of Mr. Swarr's letter of June 10 was probably the written proposal of the executors that they be authorized by Buchanan's heirs to retain the \$5,000 bequeathed to Mrs. Reed and the unexpended portion of the \$1,000 bequeathed to Mr. Reed, and accumulations, as a fund to pay whoever might be selected to prepare the Buchanan biography. This proposal is reproduced on pages 28-29 of the third document, *Proceedings in suit of the Executors of James Buchanan*, etc. It is not clear whether the biographer was to be selected by the heirs, by the executors, or by the heirs and the executors. One of the executors, Mr. Swarr, was not an heir of James Buchanan. Presumably, the proposal intended that the biographer was to be selected by the heirs.

The third document in the case states that Mrs. Johnston returned the paper unsigned, with two suggestions. A biographer should be unanimously selected. If Mr. Reed's successor would not be agreed upon by July 15, 1870, then, in order to save time the executors should pay the accumulated money for the biography to Augustus Schell and J. B. Baker, political and personal friends of Buchanan, and they should select a biographer and make the accumulated fund available to the biographer. (Page 29).

A month later there was another exchange of correspondence between Mr. Swarr and the Johnstons. Mrs. Johnston had made

Lancaster, Pa. July 12th 1870

Mrs. Henry Elliott Johnson [Johnston]

Madam.

Your card with the following written on the upper margin, "The papers are accessible to Mr Swarr at his own Convenience," received.

As I shall be absent during a portion of the present week it will not be convenient for me to remove the estate papers at Wheatland, (which you have carefully retained at my request for the past two years), until Tuesday Morning, of next week July 19th when if the time suits your Convenience I will send a careful agent for them.

There has also been placed upon my table a letter from Mr. Johnson [Johnston], written as he says at your request, relative to my letter addressed to you on the 29th Ult. I regret that I have been unable to make clear my views as to my duty regarding the Biographical Work of your late Uncle, Ex Pres. Buchanan.

I have never assumed, nor do I intend assuming any right to interfere or take part in the selection of Mr. Reed's Successor. The selection belongs to the heirs of the deceased, And all suggestions or propositions relative to the same must be a matter of negotiation among themselves.

Respectfully Yours

H. B. Swarr.

The letter of July 12 is signed by Mr. Swarr but is probably the file copy, from his law office, of the letter sent to Mrs. Johnston. It is not in his handwriting and contains two interlineations which appear to be in his own writing. The letter is preserved by the Lancaster County Historical Society.

Under date of the next day Harriet Lane Johnston replied as follows.

H.B. Swarr, Esq:

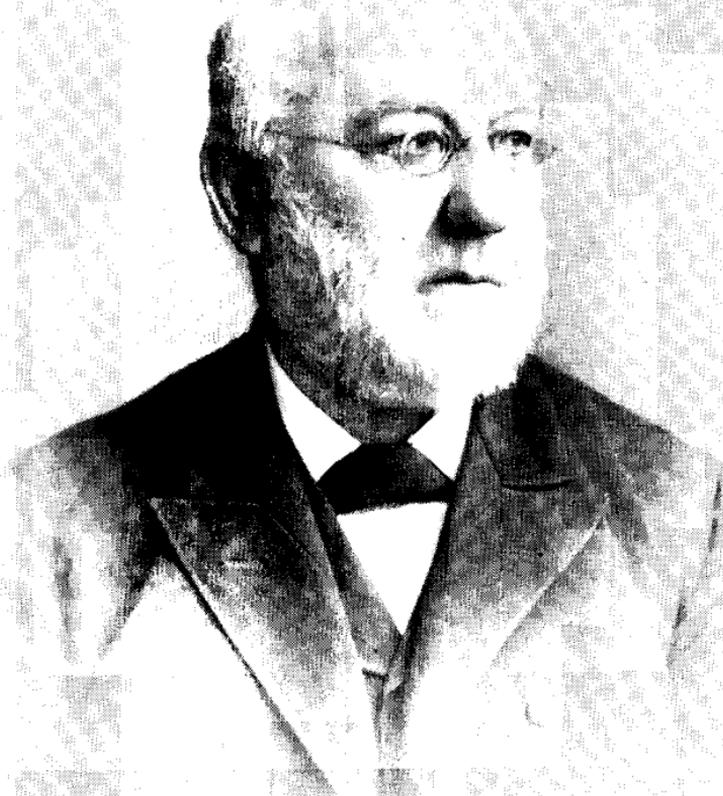
Dear Sir:—Such papers of my dear uncle's as were not removed during my temporary absence from Wheatland, by Mr. and Miss Buchanan, or subsequently received by Mr. Reed, are accessible to you, as executor, for the settlement of business connected with the estate. I do not intend to allow the "removal" of my uncle's private correspondence, unconnected with the settlement of his estate, at least until after a final decision regarding his biographer.

I have retained no papers at your request for the last two years. My uncle's remaining papers were put into the greatest confusion by Mr. and Miss Buchanan, and all of any importance were removed by them, or given to Mr. Reed. I am quite sure that those which remain, contain nothing of interest; but I value too highly everything connected with my dear uncle to allow the indiscriminate "removal" of the private letters of his friends from his old home, where they have remained for so many years.

Yours very respectfully,

Harret Lane Johnston

Wheatland, July 13th, 1870.



HIRAM SWARR, ESQ.

This letter is reproduced in Mr. Swarr's testimony, page 26, third document, *Proceedings in suit of the Executors of James Buchanan*, etc.

In the settlement of Buchanan's estate Henry Elliott Johnston was actually an "outsider." He had not been made an executor nor a beneficiary. As the custody of the Buchanan papers and the use of Buchanan's funds for the preparation of a biography became sources of contention Mr. Johnston exhibited charity and common sense. A letter which he wrote from Baltimore, July 27, 1870, to Joseph B. Baker, a long-time political and business associate of

James Buchanan, gives a glimpse as to the kind of person Mr. Johnston was.

* * *

In regard to the Biography, Mrs Johnston has been of the opinion that \$5000.—is too limited a sum to secure the services of a proper party, and in a recent letter, Mr Swarr, on behalf of the Executors, expressed the same views although he proposed what seemed a very impracticable plan of overcoming the difficulty, and one that would probably secure the desired result a *century or so hence!!*

The only plan is for the necessary Capital to be at once contributed by the family: in that way alone can their *gratitude* to their kind and generous relative be manifested.

Mrs Johnston proposes to unite with Dr Buchanan, and Mr. Henry in increasing the fund to \$20,000.—

I need not say that the proposition meets with my hearty concurrence.

It is eminently proper and I am sure all will regard it, not only in the light of a duty—a *sacred* duty—but as the greatest of pleasures.

It really is the Ex-President's own money that is contributed:—it is a question of justice *not* generosity.

When this fund is raised, I believe, under existing relations, that the most expedient plan is to submit the selection of the Biographer to a Committee of political friends of the late Ex. Pres., men like O'Connor, Schell, Tilden [,] Black, or a host of others—men who in common with the whole Democratic party, have the deepest interest in the book. If it is judged best, let their selection be subject to the approval of the three subscribers to the fund—although in my opinion, the whole matter can be more safely left in the hands of the Committee.

The question of the Biography is a very serious one—we must try to answer it in the right spirit. It really *opens the grave* where all can at least for the time, bury the recollection of their wrongs and injuries in order to unite in seeing justice done to the memory of a generous relative, a kind true friend, and a great statesman.

* * *

Most truly yours
H E Johnston

The letter is preserved as pages 2119-2120 of the HLJ Papers in the Library of Congress.

There may have been unreasonable attempts to take additional papers from Wheatland in the summer of 1870. In late summer Mrs. Johnston wrote, with great clarity, to Mr. Swarr, as follows.

Wheatland, Sept. 5th, 1870.

H. B. Swarr, Esq.

Dear Sir:

I am very anxious to avoid all trouble or misunderstanding with you or others about the papers in my possession. I fear you may not have fully understood my former letters on this subject.

I fully concede your right as Executor to any paper which may be necessary or useful in regard to the business of the estate, or which it would benefit you as Executor to have for purposes of evidence.

I cannot imagine that you desire to have any of them for other or different purposes. If therefore you will name any paper or papers, or describe them, I will if they be here, endeavor to get them and send them to you. If you are not able to identify the papers you may want by name or description, you are perfectly welcome, as I have before told you, to come whilst I remain here, which will be for some time, and make search yourself, taking away all that you think it necessary to have for reasons such as are above indicated.

Oblige me by saying whether this is satisfactory, and if not, say why not.

I take it for granted that you have no desire to make a raid on my house, or to make an unreasonable search among my papers, much less to carry them away without discrimination, and merely for the purpose of depriving me of their possession; least of all can I suppose that you desire to transfer them out of my hands, into the hands of others who have no right to them.

Yours, Very Respectfully,
Harriet Lane Johnston.

This letter is preserved by the Lancaster County Historical Society. It is also reproduced on page 11, "Answer of Defendants."

Neither Mr. Swarr nor Edward Y. Buchanan replied to the letter of September 5, 1870, verbally or in writing. (Page 4, "Answer of Defendants"). However, in Mr. Swarr's testimony in the third document, *Proceedings in suit of the Executors of James Buchanan*, etc., there is reproduced on pages 27-28 a letter which was written from Lancaster under date of September 17, 1870, by Isaac E. Hiester, to Mrs. Johnston, for the executors. Hiester asked her to deliver Buchanan papers to the executors. He said the Buchanan papers already in the possession of the executors had been arranged, endorsed, and placed with the Fidelity Safe Deposit Company of Philadelphia for safe keeping, and that the other papers when received and after being arranged and endorsed would also be placed there.

Mrs. Johnston's offer of September 5, 1870, to Mr. Swarr to take any of the papers he thought necessary in the business of the estate, or for purposes of evidence, was generous, indeed. However, the executors were not satisfied. They wanted to gain possession of all the Buchanan papers that remained at Wheatland. Within a few weeks after Mrs. Johnston's letter of September 5 had been written the executors brought suit against Mr. and Mrs. Johnston in the Court of Common Pleas of Lancaster County, Pennsylvania. Unmistakably, the executors sued in the hope of obtaining a court order that would require the Johnstons to turn over to them all the Buchanan papers still at Wheatland.

INDIGNATION

After Mr. William B. Reed abandoned the project of writing the biography the papers which he had been using "were taken by Edward Y. Buchanan into his own custody and kept at his residence in Oxford, (Phila.)" (Page 5, "Answer of Defendants").

It was plainly to be seen that Uncle Edward had little or no interest in the preparation of a biography of his brother. The project would cost money that would come out of the estate in which he was sharing. The equity document puts the matter in focus.

The defendants [Henry Elliott Johnston and Harriet Lane Johnston] are advised that the plaintiffs have no more to do with the biography of the testator than any other friend of his who desires to see his fame cleared and his character vindicated. The defendants are deeply anxious to have such a biographical work prepared and published and, whenever a person of competent talents can be induced to undertake it, the defendants will furnish all the aid in their power and all the materials within their reach, but they are not willing to leave this important subject to the unlimited discretion (or indiscretion) of the plaintiffs. (Page 5, "Answer of Defendants").

Then the matter was put squarely on the line. The Johnstons would make available any papers in their possession and would pay an additional sum in order to produce a reliable biography, if Uncle Edward would cooperate.

Furthermore, if a proper biographer can be obtained to execute the work which Mr. Reed was to have done and if E. Y. Buchanan will furnish to such biographer the materials which he took from the possession of Mr. Reed, the defendants will, in that case, consent that their papers be fully and thoroughly searched for any documents or letters which may or ought to be used as materials for a just narrative of the testator's [James Buchanan's] life and to furnish all the documents of that kind that may be found in their possession so that said documents may be used properly for that purpose. Defendants have always been anxious for that public vindication of the testator's character which nothing but a true, full and honest account of it by an impartial and able historian can give, and, to accomplish that end, they have offered, and do now again offer to give, out of their separate share of the estate, five thousand dollars, in addition to the five thousand which Mr. Reed was to have received, in order to induce some biographer of sufficient ability to undertake the work, provided E. Y. Buchanan and James B. Henry would do likewise. This offer has not been accepted nor have the executors or either of them done anything towards getting the biographical work done, except to embarrass the defendants and defeat their efforts which the possession of Mr. Reed's papers by E. Y. Buchanan has, unfortunately, enabled him to do with too much success. (Pages 7 and 8, "Answer of Defendants").

And what about the large quantity of letters which Buchanan had received from Harriet and from other members of his family? The equity document states the following.

VI. A large number of the papers which the testator left consisted, as hereinbefore mentioned, of family correspondence, some of it dating back to the early years of the testator's life, and of letters to and from friends at home and abroad. These were of no value as relating to the business of the estate or as materials for a biography [Some of those letters might have been very valuable in preparation of the biography. H. T. R.], but it was natural that they should be highly prized by relatives of the testator as memorials of him and of his parents, brothers and sisters; and some of his correspondence was particularly desirable to the defendants and to their children as being, in some measure, a record of the said Harriet Lane Johnston's own life while she was living with the testator in London and Washington. They were not specially disposed of by the will and the execu-

tors, as such, had no authority to dispose of them. Nevertheless, the said E. Y. Buchanan, during his occupancy of Wheatland, in the absence of said Harriet Lane Johnston and without consulting her or giving her any voice in the matter, proceeded to overhaul, destroy, distribute and appropriate all papers, documents and letters of this class, offering no part of them to her. If any were left at Wheatland the defendants do not know it, not having examined the papers left there since that time. This conduct of E. Y. Buchanan was thought by the said Harriet Lane Johnston to be not only improper and injudicious but an outrage upon her feelings and rights, and she still thinks that, in this regard, he did her great wrong. (Pages 5 and 6, "Answer of Defendants").

There can scarcely be any doubt that Harriet Lane's letters to her uncle James were the largest group, and by far the most important, in the correspondence which Buchanan received from his family. The destruction of Harriet Lane's letters to James Buchanan was a great loss to the cause of scholarship.

Mrs. Johnston was willing to share with other members of the family, any of the letters that could still be found.

VIII. The other papers not hereinbefore described are, so far as the defendants know, of no value or interest, mere refuse, which the said E. Y. Buchanan left at the house [Wheatland] because, as defendants believe, he thought them worthless, both to himself and others. There may, however, be among them some which would be useful or desirable, but the defendants, as already stated, have not examined them and the confused condition in which they were left by the said E. Y. Buchanan will make any thorough examination a work of much time and labor. Nevertheless, the defendants are entirely willing, as they always have been, to make any search, or permit any search to be made and to hand over any papers to the executors which may be found and which the executors, or either of them, will say it is necessary for them, as executors, to have in the performance of any duty cast on them by the will of the testator. The defendants are also willing, if any papers have been left which are desirable as family relics and memorials, to have them also selected out and distributed, justly and fairly, provided the said E. Y. Buchanan will account for those he has already carried away and appropriated. (Pages 6 and 7, "Answer of Defendants").

The case, begun in October 1870, dragged on in the Court of Common Pleas of Lancaster County, Pennsylvania. On March 23, 1871, the court appointed Newton Lightner as examiner. He took the testimony of Rev. Edward Y. Buchanan and Hiram B. Swarr. The testimony was printed months later, under date of July 9, 1872, and is reproduced on pages 15-30 of the third document in the case, *Proceedings in suit of the Executors of James Buchanan, etc.*

Under date of April 14, 1871, Mr. Swarr wrote from Lancaster to Mrs. Harriet Lane Johnston:

DEAR MADAM:—I write to inform you that my co-executor and myself have decided on appointing J. C. Welling, Professor of Belles-Lettres and English Literature in Princeton College, Biographer of your uncle, the late James Buchanan, in place of Wm. B. Reed, Esq., resigned. I also enclose a copy of an agreement recently signed by all the persons mentioned in the will of your uncle as legatees, who have arrived at their majority. Should you see fit to attach your name to this copy of it and return it to me, I shall be pleased, and Mr. Well-

ing will, no doubt, undertake his work with greater interest and satisfaction.

Very respectfully,

H. B. SWARR.

The agreement enclosed with the letter was as follows:

It having been ascertained that the Biography of our revered relative, the late James Buchanan, cannot be adequately prepared and published at an expense of less than eight thousand dollars, we hereby authorize E. Y. Buchanan and H. B. Swarr, the Executors of said Jas. Buchanan, deceased, to retain our respective shares of the undistributed balance of his estate, provided that balance does not exceed three thousand dollars, or if it should, then, our respective shares of that amount of it. To retain these, in addition to the sum of five thousand dollars mentioned in the testator's will, and the subject of an agreement already signed by us, as a fund for the preparation and completion of a biographical work to be prepared and published under the direction of the Executors.

Signed by

EDWARD Y. BUCHANAN,
J. BUCHANAN HENRY,
MARY E. DUNHAM,
JAMES B. WEAVER,
MARIA B. WEAVER,
JESSIE MAGAW.

March, 1871

The letter and the agreement are reproduced on pages 29-30 of the third document in the case.

The agreement, consisting of two sentences, was poorly worded. The last two phrases in the first sentence, and a word that connected them, negated the remainder of the sentence and gave the executors the power to retain far more than the additional \$3,000, and without any accounting to the heirs. The second sentence was incomplete. Some of the heirs were more interested in their share of the estate than in the production of a worthy biography of James Buchanan. One wonders how their signatures to the agreement were obtained. Having already been sued by her Uncle Edward and by Mr. Swarr, Mrs. Johnston did not view the proposed agreement with a kindly eye. From Baltimore she wrote to Mr. Swarr as follows:

120 Park St
May 19. 1871

H. B. Swarr, Esq

Dear Sir

I have your letter asking me to sign an agreement authorizing you to retain an undistributed balance of my Uncle's estate "as a fund for the preparation & completion of a Biographical work to be prepared & published under the direction of the Executors." I decline allowing you to retain any portion of my estate for any purpose whatsoever—nor will I ever agree to my Uncle's Biography being prepared & published under your directions. You are well aware that you have no right to appoint a successor to Mr. Reed—You have repeatedly acknowledged this, & I have your letters disclaiming both the right & the intention of so doing. But I have no objection to

make to Mr Welling—& I agree to the proposed application of the Reed Biographical fund.

Mr. Welling may rely upon receiving not only my pecuniary contribution but all the "aid & comfort" my husband & I can give him.

Yours very respectfully
Harriet Lane Johnston

The letter is preserved by the Lancaster County Historical Society.

Meanwhile, Dr. J. C. Welling declined, probably in the spring of 1871, to write a biography of James Buchanan.

The case of Buchanan's executors *vs.* Mr. and Mrs. Johnston was settled in the fall of 1871, by an agreement between the plaintiffs and defendants. A copy of an undated one-page agreement in the case is preserved by the Lancaster County Historical Society. The document was an agreement between the Buchanans executors on the one hand, and Harriet and her husband on the other, in the bill in equity to gain possession of the Buchanan papers still remaining at Wheatland. The agreement was probably drafted by Mr. Swarr. The copy of the one-page document states that the agreement was signed by Harriet and her husband. It has no other signatures, except that of a witness. The document declared that all the Buchanan papers then at Wheatland should be put into the hands of H. M. North and Samuel H. Reynolds, "Attorneys for the respective parties." North and Reynolds were to deposit the papers in the office of Newton Lightner, the Examiner appointed by the Court. Edward Buchanan, Swarr, and Dr. J. C. Welling "the Biographer" or any of the three could examine the Buchanan papers in Lightner's office and take those papers which they believed important "with reference to matters of business, or to the preparation of the biography."

After Edward Buchanan, Hiram B. Swarr, and Dr. J.C. Welling would take possession of "such of the papers as they may deem it important they should have" the remainder were to be delivered by them to North and Reynold for return to Wheatland until needed "in the final distribution of the papers." Dr. Welling's name had been inserted in the document, apparently upon an instruction by Mr. and Mrs. Johnston, before they signed the agreement.

Who Will Write the Buchanan Biography?

The delays in the preparation of the biography were vexing to Mrs. Johnston. It had seemed that Black would be the biographer, then Shunk, and finally, Reed. The procrastinating Mr. Reed could not be depended upon. And then the able Dr. Welling, editor of the *National Intelligencer*, president of St. John's College, and subsequently professor of belles-lettres at Princeton, declined. Later he became president of Columbian College, now George Washington University in Washington, D. C. Welling was a facile writer on constitutional law, an able scholar, and during the Buchanan and Lincoln administrations, a leading journalist.

An undated letter from Jeremiah S. Black to Mrs. Johnston states:

* * *

Your note to R. [Rebecca, Black's daughter] told me for the first that Welling declined. What now? Another trouble to select and a failure again. Must the world wait till Swarr *dies* before it will learn how Buchanan *lived*?

I am aware that this business is the fret of your life and if I thought you would cease to care about it I would not mention it. But you *will* think and feel as long as your head is hot [.] Can we not arrange some mode of circumventing these people? I wish you would tell me what is proposed if any thing. If I could have my way the work would be done to your entire Satisfaction very Speedily [.]

Yours faithfully
J. S. Black

The letter is preserved as pages 2223-2224 of the Harriet Lane Johnston Papers in the Library of Congress.

In a letter of January 9, 1874, to Mrs. Johnston, Nahum Capen stated that he had recommended to Rev. Buchanan a Colonel James W. Preston, to write the biography. Capen stated that Preston had visited Edward Buchanan but that Edward said he could do nothing alone and would consult others. (Pages 2147-2148, Harriet Lane Johnston Papers, Library of Congress).

And what a surprise! Early in 1874 a long letter drifted in from dilatory Mr. William B. Reed. He now wanted to resume work on the biography of James Buchanan. The letter, preserved by the Lancaster County Historical Society, is as follows.

New York No 36, East 21st. St
Jan. 29th. 1874

Gentlemen.

I beg to call your attention to a matter of common interest which, no doubt, on your part and on mine, has been the subject of much anxious thought. I refer to the biography of the late President Buchanan. The choice of me as the writer of his life was, as you are aware purely voluntary on his part, and founded on considerations frankly stated in his will. The trust was gratefully accepted by me and partially executed. In 1869 or 70, under the pressure of heavy pecuniary embarrassments, an[d] from an impulse which you seemed fully to appreciate I renounced this trust and left you and the other parties in interest free to make any substitution you might think suitable. It was my wish and intention throughout to render to any successor who might be selected every assistance in my power. With this view, I put myself in communication with Professor [James Clarke] Welling when he was selected, and who I sincerely hoped would execute the work. Four years have now elapsed, six since the President's death, another debt due to justice, to public expectation, and to his memory has not been paid. It is no fault of yours in any sense, but the fact is as I have stated it, the lapse of time working the usual result—in dimming the memory of the living and death of friends and contemporaries. To me, taking a full share of my responsibility in the matter, this has been and is a great sorrow. An anxious consideration of the whole subject, and consultation with my children who have succeeded to the pecuniary interest specifically bequeathed

to their mother which I believe it is not in my power to divest, induce me to ask you to restore this post or duty to me, and to express to you my anxiety to resume it. My health is completely restored, my capacity for literary labor is unimpaired and I am confident, if the proper facilities were afforded me, that, within a reasonable time, this great work might be completed. I can devote my whole mind to it. I beg you to give this matter your best and most candid consideration and, at your earliest convenience, to favor me with your decision. Having heard that different views were held by Mr Buchanan's family and representatives of their rights in this matter and very resolute not to intrude my claims against the opposition of any one, I have thought it best to send copies of this letter to Mrs Johnston and Mr J B. Henry, so that they may have the opportunity without any suggestions on your part to express their views, adverse or otherwise. I hope I do no wrong in this[.]

I am truly and Respt.

Yours —

William. B. Reed

To the

Rv. E. Y. Buchanan &
H. B. Swarr
Executors

Under date of February 11, 1874, Mrs. Harriet Lane Johnston wrote to Mr. Reed jubilantly, saying she had just received a letter from Jeremiah S. Black "which is all that could be desired." She said Black had stated he would help Reed "so far" as he could. (Page 2152, Harriet Lane Johnston Papers, Library of Congress). Mr. Reed replied from New York under date of February 12, 1874, and, among other things, stated, "Not a word from the Executors or any thing further from Mr. [James Buchanan] Henry. I think it is high time." (Page 2154, Harriet Lane Johnston Papers, Library of Congress).

In a letter of April 21, 1874, from 120 Park Street, Baltimore, to Mr. Clymer, Harriet thanked him for a speech in which he defended Buchanan's name. She said, "I am grieved to say that my Uncle's biography has not yet been written. Since Mr. Reed's misfortunes the executors seem unable or unwilling ["or unwilling" stricken out by someone] to decide upon his successor." (Pages 2155-2156, Harriet Lane Johnston Papers, Library of Congress).

Black wrote from York, Pennsylvania, under date of July 11, 1874, to William B. Reed: "The coarse passions of the Rev. E. Y. B. are already so exasperated about dividing the household goods of his brother that he cannot be made more malignant than he is." (Page 2165, Harriet Lane Johnston Papers, Library of Congress).

Harriet and Henry were defending Reed when they thought he deserved their support. In the summer of 1874 a controversial article, "Light in Dark Places," about James Buchanan, was published in the *Baltimore Gazette* and in the *New York Sun*. Jeremiah S. Black assumed that Mr. William B. Reed was the author of the article. In response to a letter from Black, Henry E. Johnston wrote the draft of a reply in which he said "the style seems to me totally

unworthy of him [Reed]." Henry added a postscript to his draft, "Mrs. Johnston desires me to send her best love and says hereafter, at least with the Johnstons you must be sure you are right before you go ahead." (Pages 2169-2171, Harriet Lane Johnston Papers, Library of Congress). The letter was sent from Wheatland under date of July 15, 1874, with few changes. It comprises pages 62230-62231 of volume 62, The Papers of Jeremiah S. Black, in the Library of Congress.

Mr. Reed was not returned to the fold. He had scarcely demonstrated his suitability for the task, having been dilatory for several years. Judge John Cadwalader of Philadelphia was selected, rather than Reed. Mr. Reed's incomplete manuscript for the Buchanan biography is preserved by the Historical Society of Pennsylvania.

Cadwalader was born in Philadelphia April 1, 1805. He was a grandson of General John Cadwalader of the Revolution. The Judge's mother was the daughter of Colonel Clement Biddle, quarter-master general of the revolutionary army, and a personal friend of George Washington. The Judge came from a historic family and he had a sense of history. He was graduated from the University of Pennsylvania and had a wide practice of law. Many successful lawyers had been trained in his office. He was elected to Congress in 1854 as a Democrat.

In 1858 Buchanan appointed Cadwalader Judge of the United States District Court for the Eastern District of Pennsylvania. Judge Cadwalader served in that position until his death on January 26, 1879. Like Buchanan, he viewed the slavery question from the standpoint of constitutional law rather than emotion. Cadawalader's decisions were temperate rather than partisan and he won the respect of all parties. He was regarded in his time as one of the most learned men in his profession.

Judge Cadwalader Begins The Task

Cadwalader made it clear that he would write the biography in his own way and at his own speed and that the completed manuscript would be his property. These facts are stated in a copy of his letter of June 12, 1874, to Rev. Edward Y. Buchanan, in response to Rev. Buchanan's questions in a letter of June 10, 1874, to Cadwalader. The copy comprises pages 2159-2160 of the Harriet Lane Johnston Papers in the Library of Congress.

By early summer of 1874 Judge Cadwalader was already engaged in the collection of material for the Buchanan biography, as indicated in his letter of June 24 to Mr. Swarr, which is preserved by the Lancaster County Historical Society. The letter is as follows.

Philadelphia 24 June 1874

My dear Sir

I have received Your letter of Yesterday's date enclosing the duplicate originals of our Memorandum of the Same date. I have

Subscribed them and sent one to Mr Buchanan, retaining the other. I will be ready at any time after next week to receive the papers[.]

Is a file of the Lancaster Intelligencer obtainable? I think that there was also a local paper Called the Journal, and another Called the Examiner. Please not to forget Your Scrap book[.]

Yrs very truly
John Cadwalader

Hiram B Swarr Esquire

Judge Cadwalader wrote from Philadelphia to Hiram B. Swarr under date of July 22, 1874, suggesting that the sooner the *Intelligencer* would reach him "the better" it would be for the preparation of the biography. Cadwalader also said he found the supply of Buchanan papers in his hands "Much Scantier" than he had expected. His letter indicated that Cadwalader was digging deeply for source material and that regardless of what documents concerning Buchanan he might think be proper to use in the biography, he ought to see them all. He was off to a good start, and continued the search for original material. Under date of August 6, 1874, the Judge wrote from Philadelphia to Hiram B. Swarr for the issue of the *Lancaster Journal* giving an account of Buchanan's conversation with General Jackson on December 30, 1824, about Mr. Clay at time of the approaching presidential election, and for other material. Cadwalader said that he would not then ask for the files at large of the *Lancaster Journal*, adding, "I have no stabling prepared as yet for an Elephant; and that the bulk of the whole [the Buchanan Papers] is elephantine, I infer from Your Recent letter to the Revd Mr Buchanan Who showed it to me a few days ago." The letters of July 22 and August 6, 1874, are preserved by the Lancaster County Historical Society.

A few days later Cadwalader, having received a prompt reply from Swarr, was asking for additional source material. Cadwalader's letter, preserved by the Lancaster County Historical Society, is as follows.

Philada 10 Aug 1874

My dear Sir

I have received Your letter of 8 Instant, the Lancaster Intelligencer files of 1827, 1828 and 1829 bound in one volume, and the Washington Daily Chronicle of 2 Instant, for all Which I am very much obliged to You. Mr Buchanan, while President, told me of the Conversation with Col Benton, when near his death, on his invitation, and Said that it was very interesting and highly Satisfactory[.]

You describe the Intelligencer files as pretty full and running back to 1797. I have a reprint of Mr Buchanan's speech of 1815 before the Washington association. I think that there was another federal effusion by him in 1820 or thereabouts. It was referred to by Gen. Cameron with ill will at a later period. I should like Very Much to see it, and any More such that May be Extant. I wish also to Know on what Nominal party ticket, he was first, and afterwards, elected to Congress.

If any of his speeches in the State legislature have been reported

in the local Newspapers of 1814-15, I should like to see them[.] The Session Commenced on 6 Dec 1814 [.]

Very truly Yrs
John Cadwalader

H. B. Swarr Esquire

Nahum Capen wrote from Boston to Mrs. Johnston at Wheatland, under date of September 27, 1874, saying "It is a matter of joy to me—to hear you speak so well of the new Editor. It is so much better than what we *feared*." (Page 2176, Harriet Lane Johnston Papers, Library of Congress).

Harriet Lane Johnston left Judge Cadwalader know she was delighted that he had undertaken the writing of the biography. She wrote to him under date of September 30, 1874, and he replied a few days later. Both letters, preserved by the Historical Society of Pennsylvania, are reproduced here.

Wheatland
Lancaster
Sept 30. 1874

Dear Judge Cadwalader

We had the pleasure of a visit from Mr Baker a few days ago, & he seemed to think it might be agreeable to you to hear from me how cordially & heartily, Mr Johnston & myself approved of your having undertaken the biography of my dear Uncle — & how anxious we are to aid you in any & every way in our power. I have the success of this from Wheatland, en masse, by the Executors, who have since returned them in three or four large pine boxes. Of course, under these circumstances I am unable to assist you in finding papers as I otherwise could have done, or as I would like so much to do. Mr Reed paid us several visits, & on each occasion selected such papers books, & documents as he thought would prove useful. These papers & books, etc. after his misfortunes, were placed in the hands of the Executors, & I presume you have them all.

If you can give us the pleasure of seeing you here, I hope it may be this week, or early next—as Mr Johnston expects to return to Baltimore at that time. With our united kind regards, & best wishes—believe me,

Yours very sincerely,
Harriet Lane Johnston.

The Judge replied almost immediately.

To Mrs Henry E. Johnston
Wheatland
Philada 3 Oc 1874

My dear Madam

I have had the pleasure of receiving Your letter of 30 Ult. I am Very sorry that I will Not be able to visit Wheatland before You leave it for Your Winter quarters. Mr Baker before his visit to You informed me that he had Sent You a Copy of my letter of 12 June last to the Rev Dr Buchanan. You therefore Sufficiently understand My relation to the Subjects of Your Kind Expressions;

If, when in England, or at Washington, you kept a journal or

diary, pray let me see it or send Me Extracts. If you did Not, can You not write for me in an offhand way, some recollections of your sojourn in England? [How grand it would have been if she would have kept a journal or would now have written her recollections! H. T. R.]

Letters to Yourself from people, great and small, while You were there, and afterwards, including letters of Congratulation Upon the presidential election and of Condolence upon the ExPresident's death, would be useful—Copies or Extracts, if You prefer. Do not exclude those Which Merely indicate the footing of Social relations.

It is not at all probable that I will desire to publish any such letters. A gossiping biography is not to my taste. But I wish to see whatever you may have no objection to showing.

If you dislike Writing Merely in Answer to letters, as much as I believe most people do, it will relieve you to add that this requires no reply until you shall find yourself ready to comply. I will have pleasure in waiting upon you, or in seeing Mr. Johnston With some one of my requests, If you then prefer an interview.

Very respy & Sincerely

Yr obt John Cadwalader

Eight months later Judge Cadwalader wrote from Philadelphia to Henry E. Johnston, under date of June 4, 1875, saying that he regretted he was not to have any memoranda of Mrs. Johnston's reminiscences, but that he was glad she would send other letters. The letter is page 2178 of the Harriet Lane Johnston Papers in the Library of Congress.

From Philadelphia Cadwalader wrote to Mr. Johnston on March 16, 1876:

My dear Sir

I thank you for the two numbers of the American; and am greatly pleased with Mrs. Johnston's letter. It was necessary to describe accurately the subject of the so called gift, lest ill-natured readers of a very ill-natured paper should be misled, as too many such persons are perhaps still prone to be. I trust that I may live to complete my intended contribution to the truth of history on this and kindred subjects.

With regards to Mrs. Johnston I remain

Yrs very truly

John Cadwalader

Henry E Johnston Esquire

The letter is page 2180 of the Harriet Lane Johnston Papers in the Library of Congress.

And then, a long pause. There may have been a breakdown in communication between the biographer and Buchanan's niece. No doubt both had been busy and neglected to keep in touch with each other. In the summer of 1877 Mrs. Johnston wrote to the Judge. The letter, preserved by the Historical Society of Pennsylvania, reads thus.

Wheatland
Near Lancaster
July 3, 1877.

Dear Judge Cadwalader

I send by to-days post a Lancaster paper, containing an article, the perusal of which, I thought might interest you. I had also intended writing to let you know, that we are here for a part of the summer, & would be glad to see you, & to aid you, here or elsewhere in any way connected with the Biography. I have heard nothing of the work, since we had the pleasure of seeing you here two years ago, & would be very glad to know how it progresses, & what prospect there is of its publication in the near future.

Mr. Johnston unites in kindest regards, & I remain,

Yours very sincerely
Harriet Lane Johnston.

The question inferred in Mrs. Johnston's letter, was, of course, embarrassing. Who knows precisely when he will finish a book, unless it is a money-maker which is being published to capture a shallow market. Cadwalader's writing was not of that type. Twenty-one pages of notes in his longhand, written in the summer of 1877 and preserved by the Historical Society of Pennsylvania, indicate his thoroughness in the gathering and weighing of information about James Buchanan. The Judge replied to Mrs. Johnston under date of September 6 as indicated in the following letter which is preserved by the Lancaster County Historical Society.

Philadelphia 19 Sep 1877

Dear Sirs

The following is an Extract from a letter which I addressed to Mrs H. E. Johnson [Johnston] on the 6th Instant

"I was embarrassed by your question as to the probable time of completion of the biography. There is but a short time left for me on this side of the grave: and my health is not as strong as when I last had the pleasure of seeing you. The progress of the work cannot be hurried, but will not be unnecessarily delayed; and I hope to live long enough to finish it satisfactorily. I regret that I cannot reply more explicitly as to the measure of time, by months or by years. Literary composition is not laborious to me; and if this alone were in question, I could readily be as definite as you might naturally desire. But the labor is of a different kind. It is that of investigation, which must be of uncertain duration, and must be patient. I find under many heads, expected and unexpected difficulties in attaining precise accuracy when it is an indispensable requirement; and such difficulties are constantly recurring. Sometimes from a scarcity of authentic materials, but oftener from a redundancy of such as ought to be authentic, but are in fact more or less loose and contradictory. They are more over variously scattered; and my public duties preclude frequent locomotion. I have in the last three years, bestowed more time and thought, and have read more in print and manuscript, upon the biography, and in objects immediately connected with, than I have, at any other equal period of my life, in study of the profession of which I have been a very industrious member for more than half a Century [century]. The honorary task was not assumed, and will not be continued, as a burden, or obligation, but as an agreeable occupation of my old age and one congenial to my tastes."

I expect the pleasure of seeing one of you on Monday next when I will make a suggestion which has occurred to my mind.

Rev Dr Buchanan }
H. B. Swarr }

Execr

Yours very Truly
John Cadwalader

On October 2, 1877, Judge John Cadwalader wrote from Philadelphia to Mrs. Johnston commending her on her spirited remarks that were published in the Lancaster *Intelligencer* on the day before. In those remarks she had challenged Thomas L. Clingman's declaration that Buchanan had encouraged North Carolina to secede. Then the Judge wrote three long pages of careful analysis of Buchanan's position in the matter discussed by Clingman, exposing, in a factual way, Clingman's statement as being fallacious and false. Cadwalader was showing genuine promise of being a competent biographer of Buchanan. Nevertheless he died, on January 26, 1879, without producing the biography of the Fifteenth President of the United States. His extensive Buchanan manuscript in the John Cadwalader Papers in the Historical Society of Pennsylvania indicates that had he lived to finish the task the product would have been an objective and highly useful work.

With the passing of Judge Cadwalader the matter of preserving the Buchanan papers and producing the biography was back on dead center. Judge Jeremiah S. Black wrote to Hiram Swarr under date of April 30, 1879. Black had been engaged to write an article for a periodical, about particular phases of the Buchanan Administration. Black said he was writing the article "at a great disadvantage while the papers of Mr. Buchanan are unpublished and inaccessible." The letter is preserved by the Lancaster County Historical Society.

George Ticknor Curtis Uses the Buchanan Papers and Writes the Biography

No biography of James Buchanan was written from his papers until George Ticknor Curtis completed his two volumes, *Life of James Buchanan, Fifteenth President of the United States*, which were published by Harper & Brothers in 1883. The biography was written under a commission from Buchanan's heirs and executors.

Mrs. Johnston received from E. W. Mcullan (? signature not quite decipherable) a letter dated September 3, 1879, stating that G. T. Curtis was willing to undertake the biography of Buchanan if selected soon. The letter comprises pages 2187-2188 of the Harriet Lane Johnston Papers in the Library of Congress.

In the preface to the two volumes Curtis said that in the summer of 1880, Buchanan's executors and nearest surviving relatives asked him to permit them to put in his hands the entire collection of the President's private papers "with a view to the preparation of a biographical and historical work concerning his public and priv-

ate life." Curtis explained that he could undertake the work only with the understanding that he was to handle the subject in an objective rather than in a laudatory way. He declared in the preface that no one tried to influence him in what he wrote about Buchanan. Curtis also said that Rev. Edward Y. Buchanan placed a large quantity of Buchanan papers in his hands and that a "large collection" of them came also from Mr. and Mrs. Henry E. Johnston. Curtis said he was indebted to Jeremiah S. Black "for important information."

Curtis was a remarkable person. At the time of E. W. Mcullan's letter Curtis was sixty-six years old. Curtis was born at Watertown, Massachusetts, on November 28, 1812, and was graduated from Harvard in 1832. He practiced law, and was a member of the lower house of the Massachusetts Legislature, 1840-1843, but declined to continue as a legislator. He devoted the remainder of his life to law and literature. Early in his career he was known as a writer. He became a patent lawyer of great distinction. Among his clients were Charles Goodyear, Samuel F. B. Morse, Cyrus H. McCormick, and other inventors. Curtis lived in Boston from 1837 and moved to New York City in 1862. He declined the offer of the mission to England during the administration of President Tyler and declined more than once an offer by Tammany Hall of a nomination of a judgeship in New York City. He was arguing cases before the United States Supreme Court when he was eighty years old.

By the time Curtis began his biography of Buchanan he had already written a dozen significant volumes, including *History of the Origin, Formation, and Adoption of the Constitution of the United States* (two volumes, 1855-1858), and *Life of Daniel Webster* (two volumes, 1870).

Curtis, of course, had his problems in writing the biography of Buchanan. Jeremiah S. Black wrote from York to Curtis on September 26, 1881.

The more I think over the facts that occurred between the election and the inauguration of Lincoln, the more difficulty I see you will encounter in dealing with that part of your subject; but with your sound habits of judicial thought and your determined impartiality, you will not fail. You can carry Mr. Buchanan on your shoulders straight through and set him in the place which he ought to occupy in the history of the country.

Black also said in the letter, "The possibility of being able to please any branch of the Buchanan family becomes more remote as you progress, but their judgment, if not their feelings, is well entitled to consideration." (Moore, XI, 63, 65). This writer has found no evidence that Mrs. Johnston attempted to influence Curtis in what he wrote about Buchanan, or that she was accused of attempting to influence Curtis's literary effort.

The biography was a narrative of fifty-two chapters arranged chronologically, from birth to death. It included numerous lengthy

quotations from letters, memoranda and speeches written by Buchanan.

Many newspapers commented favorably on Curtis's two volumes. For example, the New York *Herald* and the Philadelphia *Press* for July 27, 1883, each gave it prominent and enthusiastic notice.

Harper's New Monthly Magazine for January 1884 included an eleven-page summary of the two volumes.

The Philadelphia *Press* for May 7, 1884, commenting on the death of Mrs. Johnston's husband and two sons, stated that one of her "chief solaces" was the issuing of the Curtis biography of her uncle. The *Press* said that she believed the two volumes had vindicated Buchanan as a patriot and a statesman.

Buchanan Papers Deposited in the Historical Society of Pennsylvania

There is not sufficient information available concerning the transfer of the Buchanan Papers to the Historical Society of Pennsylvania. Hampton L. Carson states on page 116 of volume 2 of his history of the Society that the Buchanan Papers were presented to the Society in 1897 by Buchanan's nieces. A letter of April 5, 1895, at the Historical Society of Pennsylvania, from Miss Annie Buchanan, daughter of Rev. Edward Y. Buchanan, asks the Society to accept as a deposit the trunk of Buchanan Papers. Her father had retained many of the President's papers. Rev. Buchanan died January 20, 1895. A letter of April 8, 1897, inquires of the Society as to the acceptance of the papers. Mr. John D. Kilbourne, Curator of the Society, thinks that the two letters indicate that the Buchanan Papers were presented as a gift in the spring of 1895 and that by 1897 Miss Annie Buchanan wanted a formal letter of acceptance. Mr. Kilbourne thinks that even though Harriet Lane Johnston's name does not appear in these communications with the Historical Society of Pennsylvania that she must have been involved in the transfer of the Buchanan Papers to the Society, and that the papers were deposited within the two-year period. (Letter of February 2, 1968, to H. T. R.).

Frank G. Carpenter's report, in his syndicated column late in June 1897, of his interview of a few days before with Mrs. Johnston throws some light on the matter. In the column published in the *Evening Star*, Washington, D. C., on June 26, 1897, and almost simultaneously in a number of leading newspapers across the United States, he wrote:

Mrs. Johnston says that President Buchanan's papers are to be given over to the Philadelphia Historical Society [the Historical Society of Pennsylvania]. This decision has been reached during the past few weeks, and within a short time a vast amount of valuable historical material will be there accessible to the public (Page 19).

It would, of course, be interesting to know the names of all persons who had a voice in the decision and all the places within the family from whence the total collection came. It can be presumed that most of the papers were in the possession of Mrs. Johnston and her cousin, Annie Buchanan, following the death of Annie's father in 1895, and that Mrs. Johnston was the prime mover. Correspondence over the years indicates that the two cousins were fond of each other and that they visited each other frequently, before Harriet Lane's marriage and removal to Baltimore.

There has been no article about the Society's acquisition of the Buchanan Papers in its quarterly, *The Pennsylvania Magazine of History and Biography*. However, section 91 in the Society's *Guide to its manuscript collections* provides concise data concerning the Buchanan Papers that are preserved by the Historical Society of Pennsylvania. That section describes approximately 25,000 James Buchanan items covering the period 1775-1868, stored in 114 boxes.

Mrs. Johnston's Will Provides for Publication of the Buchanan Papers in Full

Harriet Lane Johnston had a sufficient amount of unfortunate experience with the Buchanan Papers to know that letters, memoranda, and the like have a precarious existence and that usually they are available only to those who travel to the place where they are deposited. She must have known that regardless of how well a collection of papers is protected from fire, theft, normal wear and tear through use, and deterioration because of exposure to air, dampness and the passing of many years, publication in full would be an additional safeguard against total obliteration and would make the contents of the papers easily available to many people. The two volumes by George Ticknor Curtis reproduced many of Buchanan's letters and speeches but only a relatively small portion of them. Therefore, she took action on the matter.

The second item of the first codicil to Mrs. Johnston's will provided \$10,000 for the editing and publication of James Buchanan's papers. The codicil, dated June 10, 1899, reads as follows.

Having already taken steps to secure the collection and publication of the State Papers and correspondence of my late uncle, James Buchanan, sometime President of the United States, from the beginning of his public career, with such explanatory notes, biographical and historical, as may be thought necessary to the proper appreciation of said papers and letters, and intending so far as possible in my lifetime to have this work accomplished, I nevertheless give and bequeath for this purpose the sum of Ten thousand (10000.) dollars or so much thereof as may be necessary; and I direct my executors to expend this sum or so much thereof as may be necessary for the purpose indicated on the requisition of my friend Calderon Carlisle, Esquire, of the City of Washington, District of Columbia, who at my request and in association with other gentlemen has undertaken the preliminary steps for securing this object in which I am so deeply interested. And in case said Calderon Carlisle shall not survive me then said fund, or so much thereof as may be necessary, is to be disbursed

according to the direction of the survivors or survivor of the gentlemen acting with said Calderon Carlisle.

John Bassett Moore Edits the Papers

Fortunately, Mrs. Johnston took further action in behalf of the publication of the Buchanan Papers. The bill of complaint that her executors filed in the Supreme Court of the District of Columbia on January 24, 1905, in order to obtain clarification of her will, stated that after June 10, 1899, Mrs. Johnston entered into a contract with John B. Moore of Columbia University, and entered into another contract with Lippincott & Company of Philadelphia. In the first of these two contracts she agreed to pay Dr. Moore \$10,000 to edit the publication of Buchanan's state papers and correspondence. In the second contract she agreed that Lippincott & Company should publish the work "in about six volumes, at the price of \$1,106.50 per volume, aggregating about \$6,639." (Page 12 of bill of complaint).

When beyond her sixty-ninth birthday Mrs. Johnston was still in the saddle. She determined that Moore was the person who should edit the papers, and that Lippincott should publish them. Both Dr. Moore and the Lippincott establishment carried through, excellently.

Moore was a lawyer, diplomat, compiler, editor and author. He already had a record of achievement, possessing the capacity to handle several large projects simultaneously. He was in his late forties, having been born on December 3, 1860, while Buchanan was President. A native of Smyrna, Delaware, Moore studied law in Wilmington, Delaware, 1880-1883 after being graduated from the University of Virginia in the former year. He was admitted to the Delaware bar in 1883. He practiced law for a short time and was a law clerk in the United States Department of State 1885-1886. During the period 1886-1891 he was Third Assistant Secretary of State and was professor of international law and diplomacy at Columbia University 1891-1924.

Before being selected to edit the Buchanan Papers Moore had completed several highly responsible assignments. He was secretary to the Conference on Samoa in 1887, and secretary to the Conference on North Atlantic Fisheries, 1887-1888. From April to September 1898 Moore was Assistant Secretary of State of the United States, during the Spanish American War. In September of that year he was secretary and counsel of the United States Commission in Paris which negotiated the peace treaty between the United States and Spain.

By the time John Bassett Moore, midway in his distinguished career, undertook to edit the Buchanan Papers he had a long list of publications to his credit. They included the following: *Report on Extraterritorial Crime*, 1887; *Report on Extradition*, 1890; *Extradition and Interstate Rendition* (two volumes), 1891; *American Notes on the Conflict of Laws*, 1896; *History and Digest of International Arbitrations* (six volumes), 1898; *American Diplomacy, Its Spirit*

and Achievements, 1905; and *A Digest of International Law* (eight volumes), 1906.

John Bassett Moore opened the first volume of *The Works of James Buchanan* with an "Editorial Note." Its first paragraph was as follows:

The publication of the works of James Buchanan, in the present comprehensive form, was assured by the action of the late Mrs. Henry E. Johnston, formerly Harriet Lane, who, toward the close of her interesting and well-spent life, determined to give this final proof of her devotion to her uncle's memory. To those who have read the excellent biography of Buchanan written by George Ticknor Curtis, and published by the Harpers in 1883, it is unnecessary to speak of the exceptional relation which subsisted between Buchanan and his niece, a relation characterized on the one side by perfect care and confidence, and on the other by a loyalty and veneration that never wavered.

It was gracious of Moore to pay this tribute to Mrs. Johnston, especially in view of the fact that she, her husband, and her sons had already passed on and there were no grandchildren to be appeased or flattered.

Moore included the large majority of letters, speeches, and reports written by Buchanan. The location of a number of the letters written by the Fifteenth President which are not included in the twelve volumes probably was not known to Moore during the time he was preparing the manuscript. Moore's transcription of Buchanan's handwriting is meticulous and his editorial notes are helpful. The index is comprehensive and useful. Scholars will always be indebted to Moore for his careful editorial work on the Buchanan Papers, as well as for the entire range of his half century of literary effort, 1887-1937.

Moore's twelve volumes were published by Lippincott, 1908-1911, and were reviewed favorably in the *American Historical Review* by William MacDonald. In evaluating the first three volumes MacDonald stated that the set would "doubtless be the definitive edition of Buchanan's writings." He mentioned that the task was "undertaken and carried through with the support of his [James Buchanan's] niece, the late Mrs. Henry E. Johnston, formerly Harriet Lane . . ." (October 1908, page 147).

Among the distinguished positions held by John Bassett Moore subsequent to editing the Buchanan Papers were member of the panel of the Hague Tribunal, 1912-1938, and judge on the World Court (the Permanent Court of International Justice), 1921-1928.

Controversy and Accomplishment

After reviewing the Harriet Lane Johnston Papers in the Library of Congress and the correspondence of Harriet Lane Johnston, Henry Elliott Johnston, Hiram B. Swarr, and Rev. Edward Y. Buchanan at the Lancaster County Historical Society it appears to this writer that Edward was unduly provoking and parsimonious but

that he may have had a point here and there. The Hiram B. Swarr papers in the Lancaster County Historical Society contain many letters from Edward Y. Buchanan to Mr. Swarr. These letters from Rev. Buchanan indicate that he spent a considerable amount of time attending to details in the settlement of James Buchanan's estate and in the investing of funds during the period of settlement.

Edward was born May 30, 1811. He was slightly more than twenty years younger than his brother James, the President, and was the baby of the family. His brother James became almost a father to him. Edward was slightly less than nineteen years older than Harriet Lane. Perhaps subconsciously Edward resented the great amount of attention and opportunity that his brother showered for nearly twenty-five years on their niece.

The rift between the executors and Mrs. Johnston was unfortunate. Rev. Buchanan did not behave admirably. Harriet may have become needlessly angry at times. Swarr was riding that fine old horse, *stare decisis*. He could see the rules of probate and the duties of executors but probably did not care very much what would become of the Buchanan Papers or whether there would or would not be a biography, as long as the will was carried out "technically." Harriet Lane Johnston was insisting that the Buchanan papers be protected, and that regardless of cost to herself and James Buchanan's other heirs, that a biography of the President be prepared by a competent author. Mrs. Johnston became somewhat impetuous from time to time, as the matter dragged along. She would yield no more than would the executors. Therefore the clash arose. However, had she yielded readily to the executors there might not have been a useful biography of Buchanan in the nineteenth century and many of his papers probably would have been lost, or scattered among hundreds of purchasers. It is a wonder that the Buchanan papers survived. Undoubtedly many items of importance were destroyed, stolen, or lost. For example there are relatively few Buchanan papers for that critical period, January-March, 1861.

The way in which Mrs. Johnston handled herself during the administration of James Buchanan's will was, in a sense, a low point in her life. She was magnanimous, and took a reasonably charitable view toward people who tried to make things difficult for her, except in this instance, and a dozen years previously in the rivalry with Adelle Cutts, the second Mrs. Stephen A. Douglas.

The most exhaustive review of every extant document, letter, and memorandum bearing on the administration of Buchanan's will might not lead to a completely correct conclusion as to who was at fault, and to what extent, for the dilatory way in which the President's papers and the preparation of the biography was handled. The important thing is that Mrs. Johnston, as a married woman and as a widow, and even after the death of her Uncle Edward Y. Buchanan on January 20, 1895, persevered until the Buchanan biography was published, his papers were placed in an appropriate de-

pository, and the publication of them was reasonably assured. In the first codicil (June 10, 1899) of her will of June 1, 1895, she provided the \$10,000 for publication of the papers.

And then, fifteen years after Mrs. Johnston's death, the companion of her later years, Miss May S. Kennedy, presented to the Library of Congress in 1918 a number of Buchanan papers which apparently had come to light when Miss Kennedy searched through and inventoried Mrs. Johnston's vast store of personal effects. Miss Kennedy knew that Mrs. Johnston would want those papers to be preserved for public use. They comprise most of the small collection of Buchanan Papers in the Library of Congress. The presentation was the final gasp in a long, heroic struggle.

ABOUT THE CONTRIBUTOR

Homer Tope Rosenberger was born in 1908 at Lansdale, the son of Daniel Hendricks and Jennie Kulp Markley Rosenberger. He did his undergraduate work at Albright, receiving the A.B. degree in 1929, and the honorary LL.D. degree in 1955. He was awarded a Ph.D. by Cornell in 1932. Two years later he married Marian G. P. Richards. Dr. Rosenberger has been engaged extensively in personnel training and counselling work, particularly for correction institutions.

He has served as president of the Columbia Historical Society in Washington, D. C.; the Pennsylvania Junto in Washington, D. C.; and the Penna. German Society. He is a member of the American Correctional Association; Phi Delta Kappa, Phi Alpha Theta, Pi Gamma Mu, and Alpha Pi Omega fraternities.